

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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JEFFREY ORLANDO	:	
VANDERPOOL-UBRI,	:	
	:	Civil Action No. 18-1151 (JMV)
Petitioner,	:	
	:	
v.	:	<b>OPINION AND ORDER</b>
	:	
CHARLES L. GREEN,	:	
	:	
Respondent.	:	
	:	

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APPEARANCES:

JEFFREY ORLANDO VANDERPOOL-UBRI  
Essex County Correctional Facility  
354 Doremus Avenue  
Newark, NJ 07105

Petitioner *Pro Se*

KRUTI D. DHARIA, Esq.  
United States Attorney's Office  
970 Broad Street  
Suite 700  
Newark, NJ 07102

On behalf of Respondent

**VAZQUEZ**, United States District Judge

On January 25, 2018, Petitioner filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1), challenging his detention since July 2017 by the U.S. Immigration and Customs Enforcement (“ICE”). (ECF No. 1 at 3.) This Court ordered Respondent to answer the petition. (ECF No. 3.) On April 16, 2018, Respondent submitted an Order to Detain or Release indicating that Petitioner’s proceedings were terminated and that he was released on March 29, 2018. (ECF No. 5-1.) Respondent contends the habeas petition is moot. (ECF No. 5

at 1.)

A habeas petition “generally becomes moot when [a petitioner] is released from custody” because there is no longer “an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Vasquez v. Aviles*, 639 F. App’x 898, 902 (3d Cir. 2016) (quoting *DeFoy v. McCullough*, 393 F.3d 439, 442 (3d Cir. 2005)). The present petition no longer presents a case or controversy under Article III, § 2 of the United States Constitution because Petitioner is no longer detained by ICE. *See id.* (finding petition moot where there were no collateral consequences that could be addressed by success on the petition after removal) (citing *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th Cir. 2007)). Therefore, the petition is dismissed as moot.

**IT IS**, therefore, on this 17<sup>th</sup> day of April, 2018

**ORDERED** that Petitioner’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1) is DISMISSED as moot; and it is further

**ORDERED** that the Clerk shall serve a copy of this Order on Petitioner at his last known address; and it is further

**ORDERED** that the Clerk shall close this matter.

s/ John Michael Vazquez  
JOHN MICHAEL VAZQUEZ  
United States District Judge